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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,051	10/25/2000	Adrian John Waynforth Angell	7129	9273

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THE PROCTER & GAMBLE COMPANY
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EXAMINER

DOUYON, LORNA M

ART UNIT	PAPER NUMBER
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1751

15

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AS/5

Office Action Summary	Application No. 09/674,051	Applicant(s) ANGELL ET AL.	
	Examiner Lorna M. Douyon	Art Unit 1751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2003 and 14 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-24, 30 and 32-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-24, 30, 32-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

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Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 16, 2003 has been entered.

Claim Objections

2. Claim 24 is objected to because of the following informalities: In line 2, "dispersibility" is not consistent with "dispersability" in claims 23 and 33. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to

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the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 20-24, 30, 32-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pancheri (US Patent No. 5,731,279).

Pancheri teaches cleaning compositions which may be in the form of granules, agglomerates, laundry bar, liquid, gel or a tablet (see col. 5, lines 8-10). Pancheri also teaches detergent compositions comprising base granules prepared by spray drying, admixed with agglomerates and admixed with nonionic surfactants (see Examples VIII-XIII under cols. 32-33). See also Examples II-III. Pancheri also teaches the addition of other ingredients such as polyethylene glycol having a molecular weight in the range from about 500 to about 100,000 (see col. 22, lines 43-49; col. 24, lines 44-50). Pancheri also teaches a method of laundering soiled fabrics comprising the steps of contacting said soiled fabrics with an aqueous solution containing an effective amount of a detergent composition as above (see claim 7). Pancheri, however, fails to explicitly disclose tableting the detergent compositions and the dispersability of the tablet as those recited.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to prepare the detergent compositions in tablet form because Pancheri teaches that his compositions can be prepared in many forms, one of which is in tablet form, and to reasonably

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expect the dispersability of the tablet to be within those recited because similar composition having similar ingredients and overlapping proportions have been utilized.

Response to Applicants' Arguments

6. Applicants' arguments filed on April 16, 2003 and May 14, 2003 have been fully considered but they are not persuasive.

With respect to the rejection based upon Pancheri, Applicants argue that none of the working examples in Pancheri appears to be a tablet, there is but a single reference to "tablets", and the reference does not teach or suggest a process for preparing tablets having the requisite 1000 g/l density.

The Examiner respectfully disagrees with the above arguments because, as already stated in paper number 10, even though none of the examples appears to be a tablet, the examples like Example VIII under cols. 32-33, which shows the preparation of a detergent composition by admixing 44.6 wt% spray-dried granules with 55.4 wt% agglomerate (based on the weight of spray dried base granules and admixed agglomerate), thereafter admixing 6.0 wt% total nonionic surfactants and also admixing some water, said Example reads on the process of the present invention except for the step of compacting the composition to a non-particulate or tablet form. At col. 5, line 10, Pancheri teaches that the detergent composition may be in the form of granules or a tablet, and even though this is the only portion in the specification which discloses "a tablet", this teaching is sufficient to provide direction, motivation and guidance to one of ordinary skill in the art to prepare the cleaning composition not only in granule form but also in tablet form. With

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these teachings, a person of ordinary skill in the art would be motivated to prepare the granules of Example VIII in tablet form thereby resulting in a tablet having a density of at least about 1000 g/l because the ingredients which have been tableted are the same with overlapping proportions.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (703) 305-3773. The examiner can normally be reached on Mondays-Fridays from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for this Technology Center is:

(703) 872-9311 - for Official After Final faxes
(703) 872-9310- for all other Official faxes.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-0661.

August 11, 2003

Lorna M. Douyon
Lorna M. Douyon
Primary Examiner
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